



Attorney Docket No. PP01631.101  
2302-1631.20  
PATENT

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By: Anne Currier Carr

Anne Currier Carr

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

BARNETT et al.

Examiner: B. Whiteside

Application No.: 09/610,313

Art Unit: 1635

Filed: July 5, 2000

Confirmation No.: 4221

For: POLYNUCLEOTIDES ENCODING ANTIGENIC HIV TYPE C  
POLYPEPTIDE, POLYPEPTIDES AND USES THEREOF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,  
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.  
§§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- ☐ No copy of the publication \_\_\_\_\_ listed on the attached Form PTO/SB/08A are being provided because the Office waives the requirement under 37 C.F.R. 1.98 (a) (2) (i) for submitting a copy of each cited U.S. patent and each U. S. patent application publication for all U.S. national patent applications filed after June 30, 2003.
- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application



Serial No. \_\_\_ to which the above-identified application claims priority under 35 U.S.C. §120.

- ☒ **Publications listed on the attached Forms PTO/SB/08A & B were cited in a foreign search or examination report corresponding to European application no. P035630EP, which was mailed on April 18, 2005. A copy of the search report is enclosed.**
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_. English language publication \_\_\_ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) \_\_\_ for which an English translation is not available.

**This Information Disclosure Statement is filed within any one of the following time periods:**

- ☐ within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- ☐ within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- ☐ before the mailing date of a first office action on the merits; or
- ☒ **before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. §1.114.**

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: May 13, 2005

Respectfully submitted,

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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	09/610,313	
			Filing Date	July 5, 2000	
			First Named Inventor	BARNETT et al.	
			Art Unit	1635	
			Examiner Name	B. Whiteside	
Sheet	1	of	2	Attorney Docket Number	PP01631.101 (2303-1631.20)

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	AA				
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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	BA	WO	96/09378	A1	03/28/1996	General Hospital		<input type="checkbox"/>
	BB	WO	97/31115	A2	08/28/1997	Merck & Co.		<input type="checkbox"/>
	BC	WO	990/41397	A1	08/19/1999	Oxford Biomedica		<input type="checkbox"/>
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		Application Number	09/610,313		
		Filing Date	July 5, 2000		
		First Named Inventor	BARNETT et al.		
		Art Unit	1635		
		Examiner Name	B. Whiteside		
Sheet	2	of	2	Attorney Docket Number	PP01631.101 (2303-1631.20)

<b>NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	André et al., "Increased Immune Response Elicited by DNA Vaccination with a Synthetic gp120 Sequence with Optimized Codon Usage," <i>Journal of Virology</i> , February 1998, pp. 1497-1503.	
	CB	Notivsky et al., "Molecular Cloning and Phylogenetic Analysis of Human Immunodeficiency Virus Type 1 Subtype C: A Set of 23 Full-Length Clones from Botswana," <i>Journal of Virology</i> , May 1999, pp. 4427-4432.	
	CC		
	CD		
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.